

Application Serial No.: 10/076,522  
Amendment dated September 3, 2003  
Reply to Office Action dated June 3, 2003

### REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-17 are presently active in this case, Claims 1-3, 6, 12, 13, 16, and 17 having been amended by way of the present Amendment.

Claims 2, 3, 6-10, 12, 13, and 17 were indicated as being allowable if rewritten in independent form. Claims 2, 3, 6, 12, 13, and 17 have been rewritten in independent form, and thus the Applicant submits that these claims are in condition for allowance. Additionally, the Applicant submits that Claims 7-10 are allowable, as they depend from Claim 6.

In the outstanding Official Action, the drawings were objected to because the figures do not include reference sign "R" described on page 14, lines 5 and 6 of the specification. Submitted concurrently herewith is a replacement sheet include an amended Figure 1 that includes reference sign "R" in accordance with the description on page 14, lines 5 and 6 of the specification. The drawings were also objected to for failing to depict an optical fiber cable having "a power line" and "an information transmission line" as recited in Claims 3, 8, and 13 of the present application. Submitted concurrently herewith is a new drawing sheet containing a new Figure 5 that depicts a non-limiting embodiment including a power line and an information transmission line. The specification has been amended to include a description of Figure 5. Support for these amendments can be found in the specification as originally filed, for example, at page 6, lines 9-12, page 11, line 17-23, and Claims 3, 8, and 13. Accordingly, the Applicant respectfully submits that no new matter has been added. Accordingly, the Applicant requests the withdrawal of the objection to the drawings.

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The specification has been amended to include headings as suggested in the Official Action.

The disclosure was objected to for minor informalities. Accordingly, the specification has been amended to provide the full terminology for the abbreviation "LAN" on page 1, line 20. The Applicant therefore requests the withdrawal of the objection to the disclosure.

The title of the invention was objected to as not being descriptive. The title has been changed to "Optical Fiber Cable Having A Partitioning Spacer." Accordingly, the Applicant requests the withdrawal of the objection to the title.

Claims 16 and 17 were objected to for minor informalities. Claims 16 and 17 have been amended in a non-narrowing manner to change "preparing" to "making" as suggested in the Official Action. Accordingly, the Applicant requests the withdrawal of the objection to Claims 16 and 17.

Claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by Priaroggia (U.S. Patent No. 4,784,462). Claims 4, 5, and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Priaroggia in view of page 19, lines 7-10 of the specification. Claims 11, 14, and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Priaroggia in view of Koike et al. (U.S. Patent No. 5,783,636). For the reasons discussed below, the Applicants request the withdrawal of the art rejections.

Claim 1 of the present application recites an optical fiber cable comprising two or more optical fibers and a partitioning spacer housed in a space encircled by a sheath. The partitioning spacer includes an axial portion and a plurality of partitioning plate portions, and the partitioning spacer has a sectional shape that the partitioning plate portions radially

extend toward an inner circumferential surface of the sheath from the axial portion. Each of the partitioning plate portions have a leading end provided with an enlarged portion in contact with the inner circumferential surface of the sheath and a connecting portion connecting the enlarged portion to the axial portion, wherein the enlarged portion has a substantially circular shape in cross section. The space encircled by the sheath is divided into a plurality of partitioned slots by the partitioning plate portions, and the respective optical fibers are distributed so that two or more optical fibers are not provided in a single partitioned slot.

The Applicant submits that the Priaroggia reference does not disclose all of the limitations recited in Claim 1 of the present application. For example, the Priaroggia reference does not disclose an optical fiber cable comprising a partitioning spacer having plate portions having a leading end provided with an enlarged portion, where the enlarged portion has a substantially circular shape in cross section, as recited in Claim 1.

The Priaroggia reference describes an optical fiber submarine cable having only a central rope for withstanding the stresses to which the cable is subjected. As shown in Figure 2, the Priaroggia reference discloses a cable core (4) having adjacent ribs (8) which separate and define each groove (5) and have a substantially T-shaped profile with a head (9) having rectilinear portions (10 and 11) and a leg (12) having curvilinear side walls (13) joined to the head (9). The head (9) must be deformed in order to insert the cable core (4) into the sheath (7), as is evident from a review of circle (15) in Figure 2.

The Priaroggia reference does not disclose an optical fiber cable comprising a partitioning spacer having plate portions having a leading end provided with an enlarged portion, where *the enlarged portion has a substantially circular shape in cross section*, as

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recited in Claim 1. To the contrary, the Priaroggia reference describes a cable core (4) having a head (9) with a T-shaped profile with rectilinear portions (10 and 11). Accordingly, the Priaroggia reference does not disclose all of the limitations recited in Claim 1 of the present application, and therefore does not anticipate Claim 1.

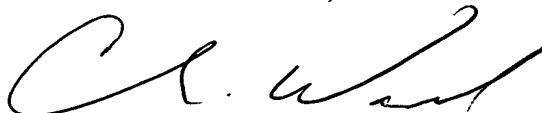
Thus, the Applicant respectfully requests the withdrawal of the anticipation rejection of Claim 1.

Claims 4, 5, 11, 14, 15, and 16 are considered allowable for the reasons advanced for Claim 1 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claim 1.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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